

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,)	No. 3:05-cr-066-RRB
)	
Plaintiff,)	<u>FINAL DECREE OF</u>
)	<u>FORFEITURE</u>
v.)	
)	
VICTOR MANUEL ASTORGA,)	
ALEJANDRO DOMINGUEZ BOJORQUEZ,)	
JUAN JOSE CARDENAS-AGUAYO, and)	
OMAR SALAZAR-CARDENAS,)	
)	
Defendants.)	
_____)	

On November 14, 2005, defendant VICTOR MANUEL ASTORGA entered into a Plea Agreement (filed under seal) by which he pled guilty to Counts 1 and 2 of the Indictment. Pursuant to Count 2 (Criminal Forfeiture), and upon the Court's acceptance of the defendant's guilty pleas, the Court found that the defendant's interest, if any, in the approximately \$35,822.00 IN UNITED STATES CURRENCY, and one BERETTA 92FS 9MM SEMI-AUTOMATIC HANDGUN, SERIAL NO. 161426, and one TAURUS 9MM SEMI-AUTOMATIC HANDGUN, SERIAL NO. PT92AF, described in Count 2 of the Indictment, is property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as the result of such violation of 21 U.S.C. §§ 841 and 846, to which the defendant has pled guilty and been convicted, and property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation, thereby rendering said currency and firearms subject to forfeiture under 21 U.S.C. § 853(a)(1) and

(2).

AND WHEREAS, on January 4, 2006, this Court entered a Preliminary Order of Forfeiture forfeiting all of the right, title and interest of defendant VICTOR MANUEL ASTORGA in the currency and firearms described in Count 2 of the Indictment. Docket 167.

AND WHEREAS, on December 13, 2005, defendant ALEJANDRO DOMINGUEZ BOJORQUEZ pled guilty to Counts 1 and 2 of the Indictment. Pursuant to Count 2 (Criminal Forfeiture), and upon the Court's acceptance of the defendant's guilty pleas, the Court found that the defendant's interest, if any, in the approximately \$35,822.00 IN UNITED STATES CURRENCY, and one BERETTA 92FS 9MM SEMI-AUTOMATIC HANDGUN, SERIAL NO. 161426, and one TAURUS 9MM SEMI-AUTOMATIC HANDGUN, SERIAL NO. PT92AF, described in Count 2 of the Indictment, is property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as the result of such violation of 21 U.S.C. §§ 841 and 846, to which the defendant has pled guilty and been convicted, and property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation, thereby rendering said currency and firearms subject to forfeiture under 21 U.S.C. § 853(a)(1) and (2).

AND WHEREAS, on January 30, 2006, this Court entered a Preliminary Order of Forfeiture forfeiting all of the right, title and interest of defendant ALEJANDRO DOMINGUEZ BOJORQUEZ in the currency and firearms described in Count 2 of the

Indictment. Docket 174.

AND WHEREAS, on December 5, 2005, defendant JUAN JOSE CARDENAS-AGUAYO entered into a plea agreement by which he pled guilty to Counts 1 and 2 of the Indictment. Pursuant to Count 2 (Criminal Forfeiture), and upon the Court's acceptance of the defendant's guilty pleas, the Court found that the defendant's interest, if any, in the approximately \$35,822.00 IN UNITED STATES CURRENCY, and one BERETTA 92FS 9MM SEMI-AUTOMATIC HANDGUN, SERIAL NO. 161426, and one TAURUS 9MM SEMI-AUTOMATIC HANDGUN, SERIAL NO. PT92AF, described in Count 2 of the Indictment, is property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as the result of such violation of 21 U.S.C. §§ 841 and 846, to which the defendant has pled guilty and been convicted, and property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation, thereby rendering said currency and firearms subject to forfeiture under 21 U.S.C. § 853(a)(1) and (2).

AND WHEREAS, on January 30, 2006, this Court entered a Preliminary Order of Forfeiture forfeiting all of the right, title and interest of defendant JUAN JOSE CARDENAS-AGUAYO in the currency and firearms described in Count 2 of the Indictment. Docket 173.

AND WHEREAS, on December 8, 2005, defendant OMAR SALAZAR-CARDENAS entered into a plea agreement (filed under seal) by which he pled guilty to Counts 1 and 2 of the Indictment. Pursuant to Count 2 (Criminal Forfeiture), and upon the Court's acceptance

of the defendant's guilty pleas, the Court found that the defendant's interest, if any, in the approximately \$35,822.00 IN UNITED STATES CURRENCY, and one BERETTA 92FS 9MM SEMI-AUTOMATIC HANDGUN, SERIAL NO. 161426, and one TAURUS 9MM SEMI-AUTOMATIC HANDGUN, SERIAL NO. PT92AF, described in Count 2 of the Indictment, is property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as the result of such violation of 21 U.S.C. §§ 841 and 846, to which the defendant has pled guilty and been convicted, and property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation, thereby rendering said currency and firearms subject to forfeiture under 21 U.S.C. § 853(a)(1) and (2).

AND WHEREAS, on January 9, 2006, this Court entered a Preliminary Order of Forfeiture forfeiting all of the right, title and interest of defendant OMAR SALAZAR-CARDENAS in the currency and firearms described in Count 2 of the Indictment. Docket 168.

AND WHEREAS, on April 10, April 17, and April 24, 2006, the United States Marshals Service published, in the Anchorage Daily News, a newspaper of general circulation, notice of the above-referenced Preliminary Orders of Forfeiture and of the intent of the United States to dispose of said currency and firearms in accordance with the law, and further notifying all third parties of their right to petition the Court within 30 days of the publication date for a hearing to adjudicate the validity of their alleged legal interest in the

currency and firearms.

AND WHEREAS, no petitions of interest or other claims or requests for an ancillary hearing with regard to the above-described forfeited currency or firearms have been filed by any individual or entity within the time allowed by law.

Accordingly, it is hereby ORDERED, ADJUDGED and DECREED:

1. That the right, title and interest to the approximately \$35,822.00 IN UNITED STATES CURRENCY, and one BERETTA 92FS 9MM SEMI-AUTOMATIC HANDGUN, SERIAL NO. 161426, and one TAURUS 9MM SEMI-AUTOMATIC HANDGUN, SERIAL NO. PT92AF, is hereby condemned, and forfeited to, and shall be vested in, the United States of America, and shall be disposed of by the United States Marshals Service and its property manager and/or its contractor according to law.

2. That the United States Marshals Service is directed to pay any and all costs associated with the described currency and firearms and to dispose of such according to law.

3. The Clerk is hereby directed to send a copy of this Order to the United States Marshals Service.

SO ORDERED this ____ day of _____, 2006.

HON. RALPH R. BEISTLINE
United States District Judge